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October 1, 2004

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: ET Docket No. 04-37, Access Broadband over Power Line Systems
Ex parte Communication

On behalf of Current Technologies, LLC, and pursuant to Section 1.1206(b)(2) of the Commission's Rules, I am electronically filing this notice of an oral *ex parte* communication.

Yesterday Jay Birnbaum and Jim Mollenkopf of Current Technologies and I met with Bruce Franca, Alan Scrimme, Karen Rackley, Anh Wride, and (by video conference) Steve Martin of the Commission staff.

We responded to a letter from NTIA dated September 13, 2004, in terms consistent with our filings of May 3 and June 22, 2004. We made the following points:

- The Commission should limit its definition of "Access BPL" to signals on the medium-voltage line.
- New equipment requirements should have an adequate grandfather period; and even after that period, the Commission should not require recall of non-interfering devices.
- Coordination requirements should be keyed to zip codes and should not make BPL providers subject to prior approval for installation or operation.
- Exclusion zones should be eliminated, or at least be greatly reduced in size, for underground installations.

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- A BPL database accessible to the public should contain only the provider's identity, deployment by zip codes, and contact information.
- Procedures for interference mitigation should allow a reasonable time for investigation and corrective measures.
- The Commission should adopt the measurement procedures in the NPRM, and should also allow alternative procedures grounded in good engineering practice.

If there are any questions about this filing, please call me at the number above.

Respectfully submitted,

Mitchell Lazarus
Counsel for Current Technologies, LLC

cc: Meeting participants